

Message Text

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ACTION EUR-08

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C O N F I D E N T I A L MOSCOW 2922

LIMDIS

E.O. 11652: GDS

TAGS: PFOR UR SHUM CSCE US

SUBJECT: EMBASSY AGAIN PROTECTS DETENTION OF FAYN; SOVIET
REPLY IMPLIES SIMILAR TREATMENT MAY BE IN STORE FOR SAKHAROV
AND OTHER DISSIDENTS

REF: (A) MOSCOW 2814, (B) MOSCOW 2849

BEGIN SUMMARY: IN RESPONSE TO OUR FOLLOW-UP PROTEST ON
MARCH 2 DETENTION OF FAYN AND COMPANION, SOVIETS CLASSIFIED
THEM IN CATEGORY OF SAKHAROV AND THEREBY IMPLIED THAT HE
AND OTHER DISSIDENTS MAY HENCEFORTH BE DENIED ACCESS TO
EMBASSY. END SUMMARY.

1. ON MARCH 3 POL COUNSELOR DELIVERED NOTE TO MFA U.S.A.
DIVISION DEPUTY DIRECTOR FEDOSEYEV STRONGLY PROTESTING
MARCH 2 DETENTION (REF B) OF FAYN AND COLLEAGUE AT
EMBASSY GATE IN PRESENCE OF CONSULAR OFFICER. AFTER PRE-
SENTING NOTE POL COUNSELOR STATED ORALLY:

--THE INCIDENTS OF MARCH 1 AND 2 UNDERLINE WHAT
WE CONSIDER TO BE A FUNDAMENTAL PRINCIPLE: FREE ACCESS TO
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CONSULAR AND EMBASSY ESTABLISHMENTS BY THOSE SEEKING
TO CONDUCT BUSINESS THERE;

--IN TWO DAYS, WE HAD TWICE WITNESSED PHYSICAL
DETENTION OF FAYN AND COMPANION IN PRESENCE OF CONSULAR
OFFICERS WHO HAD IDENTIFIED THEMSELVES TO MILITIAMEN
AND STATED THAT FAYN ET AL HAD BUSINESS WITH US;

--PRESS WAS NOW AWARE OF AT LEAST SOME OF THE STORY.

2. FEDOSEYEV REPLIED THAT THIS NOTE AS WELL AS EARLIER ONE WOULD BE EXAMINED AND WE WOULD GET AN OFFICIAL REPLY. SPEAKING "PERSONALLY AND FRANKLY" THE SOVIET VIEW WAS THAT THE QUESTION WAS NOT ONE OF ACCESS BUT RATHER ONE OF THE ACTIVITIES OF EMBASSY PERSONNEL IN SUCH CASES. IF THE SOVIET CITIZENS WERE THE SAME KIND AS THAT MENTIONED IN DEPUTY FOREIGN MINISTER KORINYENKO'S MARCH 1 CONVERSATION WITH THE AMBASSADOR (I.E., SAKHAROV, ALTHOUGH THE NAME WAS NOT MENTIONED) THEN WHAT PURPOSE WAS ACHIEVED BY EMBASSY PERSONNEL MEETING THEM AND THEREBY INCITING AND ENCOURAGING THEM IN THEIR HOSTILE ANTI-SOVIET ACTIVITIES? SUCH ACTION SERVED QUICKLY TO DAMAGE OUR BILATERAL RELATIONS WHICH HAD NOT BEEN EASY TO IMPROVE.

3. U.S. DIVISION MULTILATERALS CHIEF SOKOLOV WHO WAS ALSO PRESENT REPEATED FEDOSEYEV'S LINE AND ADDED THAT AS FAR AS PRESS AWARENESS OF THE CASE WAS CONCERNED, THE "HAND OF THE EMBASSY WAS EVIDENT."

4. IN REPLY, POL COUNSELOR STATED:

--WE HAD NOT TAKEN INITIATIVE IN INFORMING PRESS; RATHER THE PRESS HAD QUERIED US.

--THE FUNDAMENTAL QUESTION DID NOT CENTER
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AROUND AIMS AND MOTIVATIONS OF SOVIET CITIZENS DESIRING TO SEE US, BUT RATHER THE PRINCIPLE OF FREE ACCESS. INCITEMENT OR ENCOURAGEMENT OF SOVIET CITIZENS BY OUR EMBASSY PERSONNEL WAS NOT INVOLVED.

--UNDOUBTEDLY OVER THE YEARS MANY SOVIET EMBASSY AND CONSULAR FACILITIES HAD BEEN APPROACHED BY U.S. CITIZENS WITH WHOSE AIMS AND MOTIVES THE USG STRONGLY DISAGREED, BUT WE HAD NEVER PREVENTED THEIR ACCESS TO SUCH FACILITIES.

5. AT THIS POINT FEDOSEYEV CLOSED THE CONVERSATION BY STATING HE AND SOKOLOV HAD GIVEN THEIR PERSONAL VIEWS AND AN OFFICIAL REPLY WOULD BE FORTHCOMING.

6. COMMENT. WHILE SAKHAROV'S NAME PER SE WAS NOT MENTIONED, POLCOUNSELOR'S CLEAR INFERENCE FROM SOVIET REMARKS WAS THAT SOVIETS ARE USING THE FAYN CASE TO SIGNAL THEIR DECISION TO DENY SAKHAROV AND OTHER HUMAN RIGHTS DISSIDENTS PHYSICAL

ACCESS TO THE EMBASSY. IF THIS PROVES CORRECT, IN RECEIVING
FUTURE REQUESTS FOR MEETINGS WITH EMBASSY OFFICERS, WE WILL
STATE OUR WILLINGNESS TO RECEIVE VISITORS, PREFERABLY
AT THE EMBASSY, BUT IF THAT IS NOT POSSIBLE THEN AT
EMBASSY OFFICERS' APARTMENTS. IN MEANTIME, WE RECOMMEND THAT,
IF IT HAS NOT BEEN ALREADY DELIVERED, THE PROTEST NOTE
TO DOBRYNIN RE SAKHAROV CASE BE EXPANDED TO COVER THE OMINOUS
DEVELOPMENTS OF THE FAYN CASE AND OUR PROJECTIONS THEREFROM.
TOON

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